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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/705,844

11/13/2003

Toshiyuki Mitsubori

011350-325

4885

21839 7590 06/28/2010  
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EXAMINER

RODRIGUEZ, LENNIN R

ART UNIT

PAPER NUMBER

2625

NOTIFICATION DATE

DELIVERY MODE

06/28/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/705,844	<b>Applicant(s)</b> MITSUBORI, TOSHIYUKI	
	<b>Examiner</b> LENNIN R. RODRIGUEZ	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,7,10-12,14 and 18-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,7,10-12,14 and 18-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 4/1/2010 have been fully considered but they are not persuasive. Applicant's argument regarding "Nishide fails to disclose a default setting that sets multiple items to values specific to a predetermined geographic location, and modifying multiple items of the default setting to create a modified default setting set forth in the single default setup command when the single default setup command is included in the printing job, as recited in Claim 1 and similarly recited in independent Claims 4, 5, 12 and 21" has been fully considered; in response Nishide '173, McIntyre '30 and Shima '498 disclose all the subject matter as described above except wherein the default setting sets the multiple items to values specific to a predetermined geographic location. However, Broeksteeg '243 teaches wherein the default setting sets the multiple items to values specific to a predetermined geographic location (paragraph [0006], lines 30-34, wherein settings are being set with respect to a language which is interpreted as being in a specific geographic location as part of the configuration information). Having a system of Nishide '173, McIntyre '30 and Shima '498 and then given the well-established teaching of Broeksteeg '243 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Nishide '173, McIntyre '30 and Shima '498 to include wherein the default setting sets the multiple items to values specific to a predetermined geographic location as taught by Broeksteeg '243 because it will make the system user friendlier as

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the user of a specific location will be able to understand and better use the functionality of the system.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1, 4-5, 7, 10-12, 14, 18-22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The application as filed does not contain support or explanation as to how does a "default setting sets multiple items to values specific to a predetermined geographic location". The closest reference to something remotely associated with a geographic location is in Fig. 9 where a language setup is shown as Japanese, but this does not necessarily means that a printer has to be in Japan to have this setting. Based on these findings or lack of, it is concluded that the new limitation raises an issue of new matter in the disclosure.

***Claim Rejections - 35 USC § 103***

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1, 4-5, 10, 12, 18 and 21-22 rejected under 35 U.S.C. 103(a) as being unpatentable over Nishide et al. (US 2003/0007173) in view of McIntyre (US 2003/0063305), Shima et al. (US 6,104,498) and Broeksteeg et al. (US 2002/0124243).

(1) regarding claims 1, 5 and 12:

Nishide '173 discloses a printing device (12 and 14 in Fig. 1, where printer 14 represents the printing unit and server 12 represents printer functionality) comprising:

a printing job receiving unit for receiving a printing job (network interface 22 in Fig. 1 receives a print job), wherein the printing job includes (a) a single default setup command for modifying multiple items of a default setting for the printing device (paragraph [0082], lines 4-8, where the print job includes printing functions, equivalent to commands, with modifying setting options), (b) a print condition instruction used for executing the printing job (paragraph [0080], lines 4-6, where the fact that the print job is interpreted by the server as to be printable shows a condition to execute);

a command analyzing unit for analyzing whether the received printing job includes the singular default setup command (paragraph [0082], lines 6-8 and paragraph [0083], where the settings are compared to the previously setting of and determine if the are different or not and changing them);

a default setup modifying unit for modifying multiple items of a default setting to create a modified default setting set forth in the single default setup command when the single default setup command is included in the printing job (paragraph [0083], where the default setup gets changed to the settings specified in the print job with a warning message to the user), and for storing the modified default setting in a memory by

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updating the default setting previously stored in the memory so that the modified default setting is available after printing (paragraph [0082] and [0083], where after a determination of differences between setting information in the print job and setting information in the external storage, the newly acquired “standard” setting are stored as well);

Nishide ‘173 discloses all the subject matter as described above except storing the modified default setting in a memory of the printing device.

However, McIntyre ‘305 teaches storing the modified default setting in a memory of the printing device (paragraph [0005], where the default setting information is stored and keep in the memory of the printing device).

Having a system of Nishide ‘173 reference and then given the well-established teaching of McIntyre ‘305 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the printing device of Nishide ‘173 to include storing the modified default setting in a memory of the printing device as taught by McIntyre ‘305 because it will preserve the customized control settings to achieve the desire default print configuration (paragraph [0005], lines 4-5) thus improving performance of the system and increase undependability of other systems to acquire default settings.

Nishide ‘173 and McIntyre ‘305 disclose all the subject matter as describe above except wherein the printing job includes (c) test print image data; and

a printing unit for printing the test print image data included in the printing job.

However, Shima '498 teaches wherein the printing job includes (c) test print image data (column 14, lines 5-18, where the print job includes test print information); and

a printing unit (3 in Fig. 1) for printing the test print image data included in the printing job (column 14, lines 5-18, where the test page is being printed).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made wherein the printing job includes (c) test print image data; and a printing unit for printing the test print image data included in the printing job as taught by Shima '498 in the system of Nishide '173 and McIntyre '305. With this, the system will have a way to proof the functionalities of the printing device, thus preventing errors when using the printing device to print some jobs or documents.

Nishide '173, McIntyre '30 and Shima '498 disclose all the subject matter as described above except wherein the default setting sets the multiple items to values specific to a predetermined geographic location.

However, Broeksteeg '243 teaches wherein the default setting sets the multiple items to values specific to a predetermined geographic location (paragraph [0006], lines 30-34, wherein settings are being set with respect to a language which is interpreted as being in a specific geographic location as part of the configuration information).

Having a system of Nishide '173, McIntyre '30 and Shima '498 and then given the well-established teaching of Broeksteeg '243 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Nishide '173, McIntyre '30 and Shima '498 to include wherein the default

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setting sets the multiple items to values specific to a predetermined geographic location as taught by Broeksteeg '243 because it will make the system user friendlier as the user of a specific location will be able to understand and better use the functionality of the system.

(2) regarding claim 4:

Nishide '173 further discloses a printing job transmission device (3000 in Fig. 1) comprising:

a default setup inputting unit for inputting multiple items of a default setting for a printing device (paragraph [0013], where the user can set the printer setup by means of an application that allows to add the information to the print job), wherein the default setting sets the multiple items to values specific to a predetermined geographic location (paragraph [0086], wherein settings are being set with respect to a client computer which is interpreted as being in a specific geographic location, e.g. a user language);

a printing job preparation unit for preparing a printing job (paragraph [0013], where the user can prepare a print job by means of an application that allows to add the information to the print job) including (a) a single default setup command used for modifying multiple items of the default setting for the printing device to create a modified default setting set forth in the multiple items entered by the default setup inputting unit (paragraph [0082], lines 4-8, where the print job includes printing functions, equivalent to commands, with modifying setting options), (b) a print condition instruction used for executing the printing job (paragraph [0080], lines 4-6, where the fact that the print job is interpreted by the server as to be printable shows a condition to execute),



wherein the modified default setting is configured to be stored in a memory by updating the default setting previously stored in the memory so that the modified default setting is available after printing (paragraph [0082] and [0083], where after a determination of differences between setting information in the print job and setting information in the external storage, the newly acquired “standard” setting are stored as well).

Nishide ‘173 discloses all the subject matter as described above except storing the modified default setting in a memory of the printing device.

However, McIntyre ‘305 teaches storing the modified default setting in a memory of the printing device (paragraph [0005], where the default setting information is stored and keep in the memory of the printing device).

Having a system of Nishide ‘173 reference and then given the well-established teaching of McIntyre ‘305 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the printing device of Nishide ‘173 to include storing the modified default setting in a memory of the printing device as taught by McIntyre ‘305 because it will preserve the customized control settings to achieve the desire default print configuration (paragraph [0005], lines 4-5) thus improving performance of the system and increase undependability of other systems to acquire default settings.

Nishide ‘173 and McIntyre ‘305 disclose all the subject matter as describe above except a printing job including (c) test print image data; and

a printing job transmission unit for transmitting the printing job to the printing unit.

However, Shima '498 teaches a printing job including (c) test print image data (column 14, lines 5-18, where the print job includes test print information); and  
a printing job transmission unit for transmitting the printing job to the printing unit (system spooler 204 in Fig. 3).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a printing job including (c) test print image data, and a printing job transmission unit for transmitting the printing job to the printing unit as taught by Shima '498 in the system of Nishide '173 and McIntyre '305. With this, the system will have a way to proof the functionalities of the printing device, thus preventing errors when using the printing device to print some jobs or documents.

(3) regarding claim 21:

Nishide '173 further discloses a printing system (Fig. 1) comprising a printing device (12 and 14 in Fig. 1) and a printing job transmission device (16 in Fig. 1), which are connected so as to communicate with each other (network in Fig. 1); wherein

said printing job transmission device comprising:

a default setup inputting unit for inputting multiple contents of a default setting for the printing device (paragraph [0013], where the user can set the printer setup by means of an application that allows to add the information to the print job); and

a printing job preparation unit for preparing a printing job (paragraph [0013], where the user can prepare a print job by means of an application that allows to add the information to the print job) including (a) a single default setup command used for modifying multiple contents of the default setting for the printing device to multiple

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contents entered by the default setup inputting unit (paragraph [0082], lines 4-8, where the print job includes printing functions, equivalent to commands, with modifying setting options), wherein the default setting sets the multiple items to values specific to a predetermined geographic location (paragraph [0086], wherein settings are being set with respect to a client computer which is interpreted as being in a specific geographic location, e.g. a user language) (b) a print condition instruction used for executing the printing job (paragraph [0080], lines 4-6, where the fact that the print job is interpreted by the server as to be printable shows a condition to execute);

said printing device comprising:

a printing job receiving unit for receiving a printing job (network interface 22 in Fig. 1 receives a print job), wherein the printing job includes (a) a single default setup command for modifying multiple items of a default setting for the printing device (paragraph [0082], lines 4-8, where the print job includes printing functions, equivalent to commands, with modifying setting options), wherein the default setting sets the multiple items to values specific to a predetermined geographic location (paragraph [0086], wherein settings are being set with respect to a client computer which is interpreted as being in a specific geographic location, e.g. a user language) (b) a print condition instruction used for executing the printing job (paragraph [0080], lines 4-6, where the fact that the print job is interpreted by the server as to be printable shows a condition to execute);

a command analyzing unit for analyzing whether the received printing job includes the singular default setup command (paragraph [0082], lines 6-8 and

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paragraph [0083], where the settings are compared to the previously setting of and determine if the are different or not and changing them);

a default setup modifying unit for modifying multiple items of a default setting to create a modified default setting set forth in the single default setup command when the single default setup command is included in the printing job (paragraph [0083], where the default setup gets changed to the settings specified in the print job with a warning message to the user), and for storing the modified default setting in a memory by updating the default setting previously stored in the memory so that the modified default setting is available after printing (paragraph [0082] and [0083], where after a determination of differences between setting information in the print job and setting information in the external storage, the newly acquired “standard” setting are stored as well);

Nishide ‘173 discloses all the subject matter as described above except storing the modified default setting in a memory of the printing device.

However, McIntyre ‘305 teaches storing the modified default setting in a memory of the printing device (paragraph [0005], where the default setting information is stored and keep in the memory of the printing device).

Having a system of Nishide ‘173 reference and then given the well-established teaching of McIntyre ‘305 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the printing device of Nishide ‘173 to include storing the modified default setting in a memory of the printing device as taught by McIntyre ‘305 because it will preserve the customized control

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settings to achieve the desire default print configuration (paragraph [0005], lines 4-5) thus improving performance of the system and increase undependability of other systems to acquire default settings.

Nishide '173 and McIntyre '305 disclose all the subject matter as describe above except a printing job including (c) test print image data; and

a printing job transmission unit for transmitting the printing job to the printing unit; and

said printing device comprising:

a printing unit for printing the test print image data included in the printing job.

However, Shima '498 teaches a printing job including (c) test print image data (column 14, lines 5-18, where the print job includes test print information); and

a printing job transmission unit for transmitting the printing job to the printing unit (system spooler 204 in Fig. 3); and

said printing device comprising:

a printing unit (3 in Fig. 1) for printing the test print image data included in the printing job (column 14, lines 5-18, where the test page is being printed).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a printing job including (c) test print image data, and a printing job transmission unit for transmitting the printing job to the printing unit as taught by Shima '498 in the system of Nishide '173 and McIntyre '305. With this, the system will have a way to proof the functionalities of the printing device, thus preventing errors when using the printing device to print some jobs or documents.

(4) regarding claims 10, 18, 20 and 22:

Nishide '173 and McIntyre '305 disclose all the subject matter as describe above except wherein the printing unit prints the test print image data according to the modified default setting.

However, Shima '498 teaches wherein the printing unit prints the test print image data according to the modified default setting (column 14, lines 5-18, where it prints a test page with the default setting to test whether or not its OK).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to wherein the printing unit prints the test print image data according to the modified default setting as taught by Shima '498 in the system of Nishide '173 and McIntyre '305. With this, the system will have a way to proof the functionalities of the printing device, thus preventing errors when using the printing device to print some jobs or documents.

6. Claims 7, 11, 14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishide et al. (US 2003/0007173), McIntyre (US 2003/0063305) and Shima et al. (US 6,104,498), as applied to claims above and further in view of Iguchi (US Patent 6,963,414).

Nishide '173, McIntyre '305 and Shima '498 disclose all the subject matter as described above except wherein said printing unit prints the contents of the default setting modified by said default setup modifying unit.

However, Iguchi '414 teaches wherein said printing unit prints the contents of the default setup modified by said default setting modifying unit (column 1, lines 12-26, where the status print is printing a list of various settings).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made that said printing unit prints the contents of the default setup modified by said default setting modifying unit as taught by Iguchi '414, in the system of Nishide '173, McIntyre '305 and Shima '498. This is used by a user, developer or person in charge of maintenance to check the set items of the printing apparatus and to perform test printing (column 1, lines 12-26).

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LENNIN R. RODRIGUEZ whose telephone number is (571)270-1678. The examiner can normally be reached on Monday - Thursday 7:30am - 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman can be reached on (571) 272-7653. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lennin R Rodriguez/  
Examiner, Art Unit 2625

/Mark K Zimmerman/  
Supervisory Patent Examiner, Art Unit 2625